

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHELE MARIE MAIXNER,
Plaintiff,

No. 1:10-cv-03037-CL

v.

BAC HOME LOANS SERVICING, LP,
et al.,

ORDER

Defendants.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, plaintiff filed a document entitled, Conditional

Acceptance of U.S. Magistrate Judge Mark D. Clarke's Commercial Offer, i.e., "Report Recommendation." I construe this document as plaintiff's objections to the Report and Recommendation, so I have reviewed this matter de novo.

I agree with Magistrate Judge Clarke that plaintiff's amended complaint fails to state a claim for relief, and there is no indication that an amendment could cure the complaint's deficiencies. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#66) is adopted. Defendants' motions to dismiss (##51, 53, and 60) are granted with prejudice.

IT IS SO ORDERED.

DATED this 3 day of February, 2012.

A handwritten signature in black ink, appearing to read "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE